

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

DRANOEL ENAJ BROWN,

CASE NO. C24-0124 BHS

Petitioner,

ORDER

V.

WASHINGTON STATE
DEPARTMENT OF CORRECTIONS,

Respondent.

THIS MATTER is before the Court on Magistrate Judge Michelle L. Peterson's Report and Recommendation (R&R), Dkt. 9, recommending the Court deny pro se petitioner Dranoel Brown's 28 U.S.C. § 2254 petition for failure to state a plausible claim for relief, deny Brown a Certificate of Appealability under 28 U.S.C. § 2253(c), and dismiss the case with prejudice. Brown has not objected to the R&R.

A district court “shall make a de novo determination of those portions of the report or specified proposed finding or recommendations *to which objection is made.*” 28 U.S.C. § 636(b)(1)(C) (emphasis added); *accord* Fed. R. Civ. P. 72(b)(3). “The statute makes it clear that the district judge must review the magistrate judge’s findings and

1 recommendations de novo *if objection is made*, but not otherwise.” *United States v.*
2 *Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc). A proper objection requires
3 “specific written objections to the proposed findings and recommendations” in the R&R.
4 Fed. R. Civ. P. 72(b)(2).

5 The R&R is **ADOPTED**, Brown’s § 2254 petition is **DENIED**, and the case is
6 dismissed with prejudice. The Court will **NOT** issue Brown a Certificate of Appealability
7 for the reasons described in the R&R.

8 The Clerk shall enter a **JUDGMENT** and close the case.

9 **IT IS SO ORDERED.**

10 Dated this 22nd day of April, 2024.

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BENJAMIN H. SETTLE
United States District Judge
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